

DOCUMENTS UNDER SEAL 

TOTAL TIME (mins): 7 Mins

<b>MAGISTRATE JUDGE</b> <b>MINUTE ORDER</b>		DEPUTY CLERK Ivy L. Garcia				REPORTER/FTR FTR: 8/14/08 10:43:33-10:50:10	
MAGISTRATE JUDGE HON. WAYNE D. BRAZIL		DATE 8/14/08				NEW CASE <input type="checkbox"/>	CASE NUMBER 4-08-70461-WDB

**APPEARANCES**

DEFENDANT JOSE ANTONIO AGUILAR ESQUIVEL	AGE	CUST Yes	P/NP P	ATTORNEY FOR DEFENDANT Joyce Leavitt - Relieved Michael McDonnell -Retained	PD. <input type="checkbox"/> RET. <input type="checkbox"/> APPT. <input type="checkbox"/>
U.S. ATTORNEY Joshua Hill	INTERPRETER Monique Inciarte (Spanish Int.)			FIN. AFFT SUBMITTED <input type="checkbox"/>	COUNSEL APPT'D <input type="checkbox"/>
PROBATION OFFICER None	PRETRIAL SERVICES OFFICER Hence Williams			DEF ELIGIBLE FOR APPT'D COUNSEL <input type="checkbox"/>	PARTIAL PAYMENT OF CJA FEES <input type="checkbox"/>

**PROCEEDINGS SCHEDULED TO OCCUR**

<input type="checkbox"/> INITIAL APPEAR	<input type="checkbox"/> PRELIM HRG	<input type="checkbox"/> MOTION	<input type="checkbox"/> JUGMT & SENTG	<input checked="" type="checkbox"/> STATUS 5 Mins HELD
<input type="checkbox"/> I.D. COUNSEL	<input type="checkbox"/> ARRAIGNMENT	<input type="checkbox"/> BOND HEARING	<input type="checkbox"/> INITIAL APPEAR REV PROB OR S/R	<input checked="" type="checkbox"/> OTHER 2 Mins HELD Substitution of Atty.
<input type="checkbox"/> DETENTION HRG	<input type="checkbox"/> ID / REMOV HRG	<input type="checkbox"/> CHANGE PLEA	<input type="checkbox"/> PROB. REVOC.	<input type="checkbox"/> ATTY APPT HEARING

**INITIAL APPEARANCE**

<input type="checkbox"/> ADVISED OF RIGHTS	<input type="checkbox"/> ADVISED OF CHARGES	<input type="checkbox"/> NAME AS CHARGED IS TRUE NAME	<input type="checkbox"/> TRUE NAME: <b>FILED</b>
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**ARRAIGNMENT**

AUG 14 2008

<input type="checkbox"/> ARRAIGNED ON INFORMATION	<input type="checkbox"/> ARRAIGNED ON INDICTMENT	<input type="checkbox"/> READING WAIVED SUBSTANCE	<input type="checkbox"/> WAIVER OF INDICTMENT FILED
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RICHARD W. WIEKING  
CLERK, U.S. DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA**RELEASE**

<input type="checkbox"/> RELEASED ON O/R	<input type="checkbox"/> ISSUED APPEARANCE BOND	AMT OF SECURITY \$	SPECIAL NOTES	<input type="checkbox"/> PASSED SURRENDERED DATE:
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PROPERTY TO BE POSTED <input type="checkbox"/> CASH \$	CORPORATE SECURITY <input type="checkbox"/>		REAL PROPERTY: <input type="checkbox"/>
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<input type="checkbox"/> MOTION FOR DETENTION	<input type="checkbox"/> PRETRIAL SERVICES REPORT	<input type="checkbox"/> DETAINED	<input type="checkbox"/> RELEASED	<input type="checkbox"/> DETENTION HEARING AND FORMAL FINDINGS WAIVED	<input checked="" type="checkbox"/> REMANDED TO CUSTODY
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**ORDER REMOVED TO THE DISTRICT OF****PLEA**

<input type="checkbox"/> CONSENT ENTERED	<input type="checkbox"/> NOT GUILTY	<input type="checkbox"/> GUILTY	GUILTY TO COUNTS: <input type="checkbox"/>	
<input type="checkbox"/> PRESENTENCE REPORT ORDERED	<input type="checkbox"/> CHANGE OF PLEA	<input type="checkbox"/> PLEA AGREEMENT FILED	OTHER:	

**CONTINUANCE**

TO: 9/10/08	<input type="checkbox"/> ATTY APPT HEARING	<input type="checkbox"/> BOND HEARING	<input type="checkbox"/> STATUS RE: CONSENT	<input checked="" type="checkbox"/> STATUS / RE: RULE 20 TRAIL SET
AT: 10:00 a.m.	<input type="checkbox"/> SUBMIT FINAN. AFFIDAVIT	<input type="checkbox"/> PRELIMINARY HEARING OR ARRAIGN- MENT	<input type="checkbox"/> CHANGE OF PLEA	<input type="checkbox"/> OTHER
BEFORE HON. WAYNE D. BRAZIL	<input type="checkbox"/> DETENTION HEARING		<input type="checkbox"/> MOTIONS	<input type="checkbox"/> JUDGMENT & SENTENCING
<input checked="" type="checkbox"/> TIME WAIVED BY THE DEF'T RE: SPEEDY TRIAL ACT CALCULATION & HIS IDENTITY REMOVAL 3161 TODAY. DUE NOW < UNTIL 9/10/08	<input checked="" type="checkbox"/> TIME EXCLUDABLE UNDER 18 § USC	<input type="checkbox"/> IDENTITY / REMOVAL HEARING	<input type="checkbox"/> PRETRIAL CONFERENCE	<input type="checkbox"/> PROB/SUP REV. HEARING

**FOR EFFECTIVE PREP. OF COUNSEL & ADDITIONAL PROCEEDINGS  
TO DO SOME INVESTIGATIONS**

Hrg. date set on 8/26/08 at 10:00 a.m. bef. Mag. Judge W.D. Brazil for Further Status on Rule 20 VACATED.

Atty. Michael McDonnell's motion to be admitted pro hac vice - GRANTED. Atty. McDonnell said that he's also been retained to represent the deft. in Washington wherein there's a pending gov't appeal on the suppression of wiretap. The deft's atty. needs to research what effect that suppression might have in this case and what course of action will the deft. take. The deft's atty. asked the Court for DOCUMENT NUMBER, a continuance until 9/10/08 - without objections from the deft. and the gov't's atty., request GRANTED.

cc: WDB's Stats